

SAMPAN



New England's Only Chinese-English Newspaper

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二千零一年一月十九日

舢舨春節特刊

內附彩色年歷



"Cranes Taking Flight" Jui Shih Wang (paint and lacquer)

王瑞士

SPECIAL EDITION: CHINESE NEW YEAR 2001

THE SAMPAN

A.A.C.A.

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Boston, MA 02116

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請來觀看

醒獅賀新年

新年快樂

日期：二千零一年一月三十日，星期二

時間：早上十一點

地點：三百七十一號顯閣街的公民銀行
北昆士分行

日期：二千零一年一月三十日，星期二

時間：下午十二點十五分

地點：二百一十七號亞當街的公民銀行
Fields Corner, Dochester 分行



 CITIZENS BANK 公民銀行

617-472-7773

HAPPY NEW YEAR

Come See the Lion Dance

Tuesday, January 30, 2001, 11:00a.m.

Quincy Citizens Bank Branch
371 Hancock Street
North Quincy

Tuesday, January 30, 2001, 12:15 p.m.

Fields Corner Citizens Bank Branch
217 Adams Street
Dochester

Lion Dance will be performed by the Calvin Chin's Martial Arts Academy Inc.



CITIZENS BANK

TRADITIONS

Beginnings

By Fred Chin

A millennial bliss smiles on everyone and welcomes the first Chinese New Year of the 21st Century. Such an occasion arrives only once every thousand years!

Beginnings spring eternal.

Starting today, may your health with the strength of the strongest horsepower be always potent. May your spiritual vigor be like a dragon soaring to the highest summit. Always breathe the exultation of life, starting this very moment. Wealth, success, peace, health and happiness—each of these elements of earthly bliss has its beginning on one day, at one place, and during one time. May the pursuit of your ten thousand hearts' desires, beginning with each step you take, always be yours to accomplish. *Cai yuen quang jin*—may bliss spring through you from many sources to accumulate and multiply, for generations longer than immortality—starting today!

To celebrate the arrival of a new lunar cycle, and a new millennium, our very old Chinese tradition—having a cultural tempo measured in century and millenary cycles—reminds us to speak good words of inspiration. This is a time to indulge in sweet thoughts of gladness. It is an occasion to exchange heartfelt gifts of gratitude.

These splendid customs are our noble inheritance of gathering friends and family to cherish with each other our common bliss. Beginning with the Chinese New Year, our homes are filled with abundant appreciation—in thoughts, words, and activities. With public celebration, the appreciation overflows into society. Starting today, let us keep open one mind and one heart of excellence long into a bright future by exercising right-minded deeds in propitiation. Have a nice day!

What is bliss?

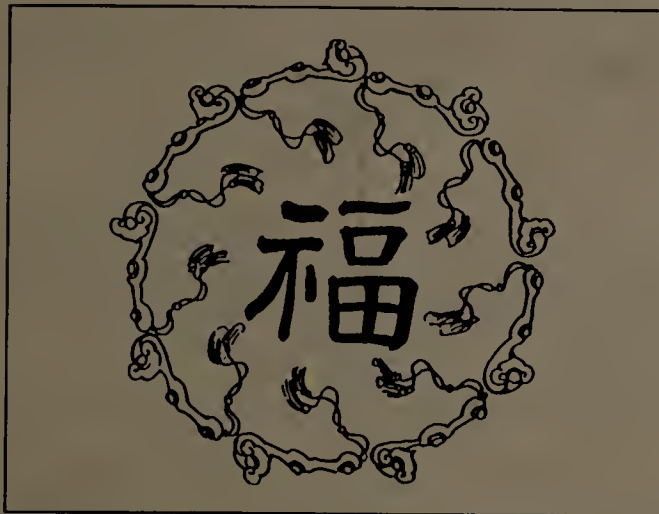
Like the Chinese, bliss is ancient. It has been around for the longest of time. Surely like the seasons, it returns again and again. It has a propensity to stay around for many years. For its full blossom, bliss depends on people. It is totally dependent on each of us, despite its mighty power. This means, bliss depends on you.

The Chinese tradition says each person is born with the birthright to bring about the blossoming of bliss to its own individual elegance. Recognition of each person's bliss is expressed through our cultural ritual of reciprocity—most noticeable, for hundreds of years, during the Chinese New Year. Reciprocity means, you need to give recognition to your own bliss, for it may not recognize you. It means, each of us needs to recognize the other person's bliss, for it may pass you by never to have smiled upon you. Since the old days, civic Chinese societies blossomed from such mutual support of one another.

Bliss is like a rainbow appearing suddenly in front of you. Its different colors, each in their distinction, soothes your mind with instant joy. Its natural beauty fills your heart with a duration of its own. And it forever remains a gift of effervescence that you will never forget. It is said that one person's bliss is the good fortune of the entire family. One family's bliss is the benefit of the whole community. One blossom brings a multitude of bliss—*hua kai fu quai*.

Bliss knows no boundary, natural or man-made. Bliss is everywhere: in society, within a family, and inside a person. In reality, when located in a mind or in the atmosphere, boundaries act as obstacles that inhibit bliss to blossom for both the person and all of society. For this reason the Chinese tradition

encourages the achievement of individual bliss in its full maturity by active non-interference as an act of nourishment. Active use of your eyes and your ears, more than the use of your mouth, are considered mindful ways to nourish individual bliss, for yourself, and in connection with others.



Bliss (pictured above) surrounded by nine staffs called *ru yi*. Each *ru yi* curved like a bridge is a symbol that meant "wish realized." The head of an ornately carved *ru yi* has the shape of a flying bat with spread wings, a creature synonymous with good fortune. The tail is decorated with a long tassel. Nine is used because the tone in Chinese sounds the same as longevity. *Fu* in Mandarin, *fuk* in Cantonese, this Chinese character means bliss in English. The tradition defines bliss as realizing nine wishes or having *wu fu*, five blessings. This article explores an integrated limitless approach to define and practice traditional Chinese thinking. In Chinese or in English, bliss is traditionally named wealth, success, peace, health or happiness. Many cultural concepts at different times give various meanings to each of these words. What is your name for bliss?

To know the self is to know bliss. The self is the most important vehicle to realizing internal, individual bliss. Bliss is being mindful of the self. Mindfulness allows you to know your bliss that makes you whole as a person. By becoming whole, all that you want in life becomes yours, to have and to enjoy—two very different types of bliss. Just having bliss is not sufficient. To fully enjoy it, you need to know consciously that you are the sole owner of the bliss in your possession, not dependent on external circumstances. You alone know best the depth and breadth of your own bliss.

Understanding your bliss is another way of knowing. Bliss cannot be understood in meters or inches, in euros or dollars, or in celsius or fahrenheit. How much you understand your whole self is a human presage that quantifies the quality of your health, wealth, success and happiness. Among your many achievements, it needs to include the pleasure of understanding personally satisfactory answers to this question: who am I?

The bliss of satisfaction lives longer than people. Its presence is eternal through life. Satisfaction begets satisfaction. One person's satisfaction is bliss for all of society. Societal bliss, preserved, learned, and inherited by the multitude, brings into being satisfied adult men and women, youth, and children. These rituals continue for generations and generations spreading across human society everywhere. You have just read ancient words of Chinese cultural wisdom.

Know your bliss!

Naming bliss.

Since the earliest time when language came into use among the Chinese people, the name for bliss

has been written as a composition of four radicals. Each radical with its distinct meaning contributes to the full meaning of the whole character. The three simple radicals on the right side composed of one mouth with a plot of cultivated land, read from top to bottom, connote basic sufficiency that keeps a person content. These three functioning as one radical indicates the tone for its pronunciation. On the left side, the fourth single radical connotes the collective as the unit of power and completes the full definition of the name. Interdependence of the four radicals—meaning individual satisfaction and social sufficiency—gives the character its full definition. Taking the whole character, the achievements derived from—"one for all, all for one"—is bliss.

It is a custom on Chinese New Year's eve to paste the word, written on red paper, at a prominent spot in residences and public places. This Chinese custom, which has been pasted within our vision, becomes a daily reminder that the power of words can be used as an ornament that reflects the beauty of our private thoughts and public goals.

Words in any system of language have their distinct cultural and social meanings that influence our thoughts and actions. Their meaningful influence on our thinking put into action for a long period becomes a tradition of the people. This means, traditions are common social practices of how words are defined and used by a community of people who shares the same language, or the same dialect as with the Chinese people.

Within one tradition, a standard cultural practice repeated by many people, for a long period of time, is called a custom in English. One reason the Chinese people enjoys a multitude of dissimilar cultural customs is because throughout our long history, how we use the Chinese language, along with the meanings we give to each of our words intoned in countless dialects, have never been constant.

In southern China, the word "bliss" is traditionally pasted right side up to invoke its all time presence. The word's visibility on the wall, in its correct position, acts as a reminder to appreciate the presence of bliss year round. Pasted in a home or at work, this custom reminds people to appreciate what is right in words or deeds throughout the year in order to enjoy bliss year round.

In northern China, "bliss" is traditionally pasted upside down to invoke its immediate head-on arrival. This practice is based on the sound of the word because the pronunciation for "inverted" in Chinese is the same as "arrived." In addition, it is useful to pay attention to another meaning. Though it is the same word, the presentation in a different manner represents a different meaning. Here, the inversion also means the inevitable transformation. The upside down sign is a reminder that with the arrival of bliss beginning with the New Year, change has also arrived.

Change as a constant in life is central to Chinese thinking, and traditional practices, in its long history. A great deal of historical time was devoted to thoughts on managing change in order for the people to use stability as a way to enjoy security. Similarly, a great deal of historical time was devoted to thoughts on yielding to change in order for the people to use change as a way to enjoy growth.

Among many Chinese, another name that means life is called "red dust." The concept of "red dust" recognizes the "here now, gone the next" evanescence of our material world. It also recognizes a natural principle when once the dust settles,

Continued on p. 4

The Sampan

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TRADITIONS

Beginnings, Continued. from p. 3

the bliss of the people remains for as long as there is life. However, the people before and after the dust may not be the same. This thinking stresses personal transformation as a way to cope with the inevitability of change in order for bliss to remain constant in one's life.

In a family, it is said that one person's bliss lives and multiplies through the children for generations. For this reason, the Chinese New Year celebrates children as one of the many sources of human bliss. This belief sustains the Chinese naming custom of giving children propitious names either to invoke or to characterize the desired bliss for the child. This Chinese custom points to the sanctity of individual names as expressed in words having their full social, family, and individual significance. It is another way of promoting individual bliss. More important, this naming custom is built on the necessity to ask for the bliss one desires.

Name your bliss!

Accepting bliss

While you are reading about bliss in English here, the single Chinese character is presented to you separately. Please use it as a word of reference for your Chinese thoughts, if you think in Chinese as well. Are your Chinese thoughts the same, or not the same, as in English? Why is that?

If you think only in English, please study the Chinese character as calligraphy for symbolic communication. In this situation, particular definition of a language is not quite relevant because symbolism as a different language communicates its own meaning. In fact, language, whether it is English or Chinese, tends to constrain the meanings in symbolic communication. In this sense, if you speak and read Chinese, you still need to study the calligraphy with a mind, an eye, and a heart, for symbolic appreciation. Your appreciation for symbolic meaning can stimulate an integrated intellectual, visual, and emotional capacity to understand the rich language of metaphors, both cultural and universal.

If you are fluently bilingual, please use both the Chinese character and this wordy, though abbreviated, English essay to take notes of your own mental revelations. How are the two languages, simultaneous in your mind, affecting how you think? Do you get separate meanings from separate thoughts? Do you cross-fertilize your rationale in English with symbolic Chinese emotion, and vice versa? Or, are all your thoughts an integration of multiple meanings combined from various cultural sources?

The resource of having more than one cultural upbringing, giving you the ability to use more than one national language, training your mind for a capacity to hold multiple knowledge—this intellectual wealth is another manifestation of bliss. If more is better than less, your cultural and language plurality is then an advantageous resource for yourself and for all people.

To consider this resource as a social and cultural benefit, all of us need to begin active cultivation for biculturalism and bilingualism in an integrated world. One beginning is for each of us to cultivate a mind set of personal acceptance as an essential for the development of cultural and language integration. That begins with Chinese people like us who enjoy more than one cultural resource, and who have the privilege to know more than one language.

Accept your bliss!

Happy New Year!

Begin to receive your bliss this Chinese New Year with active celebration for a new start in life--ying xun jie fu.

Welcome your bliss!

MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TRANSPORTATION BUILDING 10 PARK PLAZA BOSTON, MASSACHUSETTS 02116-3975

NOTICE TO BIDDERS

Sealed bids for MBTA Contract No. E02CN16, **POWER, CATENARY, COMMUNICATIONS AND EMERGENCY VENTILATION, BOSTON MASSACHUSETTS (Class 5 - Electrical, Project Value - 270.00)** will be received by the Deputy Director of Construction, Contracts, at the Contract Administration Office, 5th Floor, Room 5610, Transportation Building, 10 Park Plaza, Boston, Massachusetts, 02116-3975, until two o'clock (2:00 p.m.) on **March 20, 2001**. Immediately thereafter, in a designated room, the Bids will be opened and read publicly.

The work of this Contract includes AC power, DC traction power, unit and traction power substations, overhead catenary, tunnel lighting, signals, controls and communications, emergency ventilation, cross passage doors, roadway concrete, and closure walls along the Transitway alignment between the Atlantic Avenue turnaround and the Connector Road turnaround, and between South Station and the MBTA's Operations Control Center at 45 High Street. The work involves installation and integration of new systems and equipment, including software, into the MBTA's existing facilities. The length of the Work is approximately 9,100 feet.

This Contract is subject to a financial assistance Contract between the MBTA and the Federal Transit Administration of the U.S. Department of Transportation.

Each prospective bidder proposing to bid on this project must be prequalified in accordance with the Authority's "Procedures Governing Classification and Rating of Prospective Bidders." Copies may be obtained from the Contract Administration Office at the above address. Requests for prequalification for this Project will not be accepted by the Authority after the tenth (10th) day preceding the date set for the opening of bids.

Prequalified bidders may obtain from the Contract Administration Office a "Request for Bid Form" which must be properly filled out and submitted for approval.

Bidding documents may be obtained from the Contract Administration Office at the address above from 8:30 a.m. to 4:00 p.m., on **January 9, 2001**, Monday through Friday, at a charge of \$300.00 per copy. The Authority's STANDARD SPECIFICATIONS, BIDDING AND CONTRACT REQUIREMENTS AND DIVISION 1 - GENERAL REQUIREMENTS dated November, 1983, is available at a charge of \$5.00 per copy. Authority's STANDARD SPECIFICATION, CONSTRUCTION, dated January 1980, is available at a charge of \$15.00 per copy. The MBTA Controlled Insurance Program (Wrap-up Insurance) Manual is available in one (1) separate volume at a charge of \$10.00 per copy, payable by separate check. Bidding documents will be sent upon request and receipt of an additional fee of \$50.00, payable by separate check. Bidding documents will be forwarded by Air Freight, where such service is available, at the expense of the plan holder. **NONE OF THESE CHARGES ARE REFUNDABLE.**

Bidders attention is directed to Appendix 1, Notice of Requirement for Affirmative Action to Insure Equal Employment Opportunity; and to Appendix 2, Supplemental Equal Employment Opportunity, Anti-Discrimination, and Affirmative Action Program in the specifications. In addition, pursuant to the requirements of Appendix 3, Disadvantaged Business Enterprise (DBE) Participation Provision, Bidders must submit an assurance with their Bids that they will make sufficient and reasonable efforts to meet the stated DBE goal of **20 percent**.

Bidders will affirmatively ensure that in regard to any contract entered into pursuant to this solicitation, minority and female construction contractors will be afforded full opportunity to submit Bids and will not be discriminated against on the grounds of race, color, religion, sex, age, or national origin in consideration for an award.

Bidders will be required to comply with Federal Equal Employment Opportunity Regulations and the President's Executive Order No. 11246 and any amendments or supplements thereto.

Bidders are hereby alerted that it is the Authority's intent to issue an Addendum to the bid package during the bidding period.

A pre-site tour presentation will be held on **January 30, 2001** at 9:00 am at Conference Room One, Massachusetts Bay Transportation Authority, Design and Construction Department, 500 Arborway, Jamaica Plain, Massachusetts. At that time, an overview of the project will be given.

The Authority will conduct a site tour on **January 31, 2001**. Bidders are requested to be present in the lobby of the MBTA's Operations Control Center, 45 High Street, Boston, Massachusetts, at 9:00 a.m. to participate in the tour. Bidders are advised that they are required to have representation at this tour as no extra visits are planned. Attendees are required to wear proper personal protective equipment, including hard hats, safety eyewear, work boots, and reflective safety vests.

A prebid conference will be held on **February 1, 2001** at 10:00 a.m. at the State Transportation Building, 10 Park Plaza, Second Floor, Conference Rooms Five and Six, Boston, Massachusetts. Any request for interpretation of the Plans and Specifications should be submitted in writing at the same time.

Bidders will be required to certify as part of their bids that they are able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the work.

This Contract is subject to Federal wage and hourly laws and minimum State wage rates as well as all other applicable labor laws.

Bidders are advised that the "Buy America" provisions of the Surface Transportation Assistance Act of 1982 (Pub. L-97-424) as amended, apply to any Contract, procurement or agreement which results from this solicitation.

Bid Guaranty shall consist of a bid deposit in the amount of five (5) percent of the value of the bid, in the form of a bid bond, cash, certified check, treasurer's or cashier's check.

The successful Bidder shall be required to furnish a Performance Bond and a Labor and Materials Payment Bond each for the full amount of the Contract price.

The Authority reserves the right to reject any or all Bids, to waive informalities, to advertise for new Bids or proceed to do the work otherwise, as may be deemed to be in the best interests of the Authority.

This information may be viewed at the MBTA website: <http://www.mbta.com/info/>

Plans and specifications may also be viewed at the following locations:

Massachusetts Alliance for Small Contractors
One South Station - 3rd Fl.
Mail Stop 01302
Boston, MA 02110

Women's Business Enterprise Alliance
P.O. Box 132
385 Blue Hill Drive
Westwood, MA 02090

MASSACHUSETTS BAY TRANSPORTATION AUTHORITY

Date: December 28, 2000

By: Kevin J. Sullivan
Secretary and MBTA Chairman

Robert H. Prince, Jr.
General Manager



THE COMMONWEALTH OF MASSACHUSETTS
HUMAN RESOURCES DIVISION

Entry Level Civil Service Examination Cities and Towns and MBTA Police

Police Officer

Are you searching for an exciting and rewarding career? Law enforcement may be right for you! Massachusetts is looking for individuals who reflect the increasing level of diversity in our state to serve as Police Officers. Opportunities will be in cities and towns and the MBTA.

Are you a leader who can think fast and react quickly to protect the life, property and civil rights of Massachusetts citizens in any situation? Find out if you have what it takes to become a Police Officer by taking the Civil Service Examination.

Application Deadline: **January 26, 2001**
Written Examination: **April 28, 2001**

Minimum Qualifications

- You must be at least 19 as of January 26, 2001.
- You must be a non-smoker at the time of and after appointment.
- If you'll be 32 or older as of January 26, 2001, please obtain and read the detailed examination announcement before applying.
- You must pass a medical and physical ability examination prior to appointment.
- You must have a high school diploma or equivalency certificate issued by the Mass. Dept. of Education OR three years experience in the armed forces of the United States with last release or discharge under honorable conditions.

A \$35 application fee (payable by money order only) or a request for fee waiver must be submitted with your application. No personal checks or cash will be accepted. Visa, Mastercard, and Discover are accepted at the HRD Customer Service Center.

Additional information about the examination, eligibility requirements, and the application process is available at the Human Resources Division, Customer Service Center, One Ashburton Place (2nd Floor), Boston, MA 02108. Hours are M-F 8:45 AM - 5 PM. You may also call 617-727-3777 in the Boston area or 1-800-392-6178 outside the Boston area. Recorded information is available 24 hours a day by calling 617-727-3777, extension 246. Applications may be obtained at our address above, city and town halls, and local police stations.

Women, minorities, veterans, and people with disabilities are encouraged to apply.

We do not recommend or endorse any private school, service or publisher offering preparation and/or publications for this examination, and we are not responsible for their advertising claims.

The Commonwealth of Massachusetts is an Equal Opportunity Employer

FAMILY

Bridges, Continued. from p. 6

of FCC/NE, I would like to persuade Chinese immigrants to offer help with the Interactive Host Family Program. By "interactive," I mean that both families would offer mutual support. No doubt, the FCC parents welcome, desire, and need firsthand, ongoing interaction with members of the Chinese American community. Their very needs supply good opportunities for Chinese American families to learn more about American culture, not just what is absorbed by living here, but how real families actually live.

We Chinese immigrant parents are aware that our families are also burdened with two cultures. The difference is that the FCC parents choose to bring a new culture into their home, while we have no choice. We have grown up with Chinese culture, but our kids, who either came here at an early age or were born here, will inevitably bring American culture home from school. Like it or not, we have to deal with it. Sometimes, the two cultures conflict. Both we and our children are often frustrated with the cultural conflicts that arise from this experience which in turn broadens the generation gap.

We have been made aware that we are raising Chinese Americans, instead of Americans or Chinese. Our kids will never be completely, truly Americans. They are facing or going to face racial and identity challenges like the adopted children eventually will. Like American parents, we also want to prepare our children for their future struggle. We wish we had been well informed about American culture so that our kids could count on us for support, advice, and judgment. We desire to have help from the greater American community too.

Chinese friends, I wholeheartedly recommend you to join the interactive program if you want to help and need help as well. Be as courageous as FCC parents are: open your mind, open your hearts, and open the doors of your houses. Embrace an adopted child, a new culture, and an opportunity to connect with a new family. Reaching out, you'll see that the "interaction" is mutually beneficial. You are well informed about Chinese culture, and you'll find that most of the FCC parents are well educated. You can help the FCC parents to understand Chinese culture better, while they can tell you what's good, and what's rubbish in American culture.


By inviting an adoptive family into your home, you will not only find a counselor for yourself, but a "cousin" for your kids. The parents and the kids together form an alliance that will be much stronger than any individual in dealing with our shared problems. I believe, as Shanti has said, Chinese and Americans can put aside their differences and work together for the children. We parents can build a cultural bridge that will lead our children to an unlimited potential.

For Chinese parents who are interested in participating in our Interactive Host Family Program, please call me at (617) 277-8380, or e-mail me at shixians@yahoo.com.

K-12 Project Support Liaison Curriculum Implementation Advisor

Center for the Enhancement of Science and Mathematics Education (CESAME) is seeking a Mathematics Curriculum Specialist for university-based education research center to coordinate/deliver mathematics professional development to teachers and administrators throughout New England. Master's degree in Mathematics or Mathematics Education; experience teaching middle or high mathematics, strong communication skills, ability to motivate groups, proposal writing experience desired.

Send resume to Claire Duggan, CESAME, 716 Columbus Avenue, Suite 378, Boston, MA 02120. Northeastern is an Equal Opportunity/Affirmative Action, Title IX Employer.



Northeastern
UNIVERSITY

ARLINGTON PUBLIC SCHOOLS ANTICIPATED OPENINGS 2001-2002

ADMINISTRATORS <ul style="list-style-type: none">Middle School Assistant Principal	MIDDLE SCHOOL <ul style="list-style-type: none">MathematicsPhysical EducationScienceSpecial Education
HIGH SCHOOL <ul style="list-style-type: none">ArtChemistryDrama, Teacher & DirectorEnglishForeign LanguagesMathematicsSocial Studies	ELEMENTARY <ul style="list-style-type: none">K-5 Classrooms <p>CURRENT OPENINGS – MIDDLE SCHOOL</p> <ul style="list-style-type: none">English Substitute .5Building SubstituteAssistant Teachers

Send Letter & Resume to:

Gus Martinson, Human Resource Officer
Arlington Public Schools, P.O. Box 167,
Arlington, MA 02476 Fax: 781-316-3509,

*Arlington is an EOE and is encouraging minority candidates.
You are invited to Self-Identify Race/Ethnic*

Bay Cove Human Services, Inc.

Human Services Employment Opportunities:

Residential Counselors

Provide support/guidance to clients regarding activities of daily living, education, work and socialization. Accompany clients to treatment plan meetings, medical appointments and work opportunities. On-the-job training provided, including Massachusetts Certification in Medication Administration.

Teaching Assistant


Provide support/guidance to children 0-3 years. Meet regularly with Lead Teacher to plan curriculum / activities. Prepare group materials, assist with developmental play groups and group clean up.

Parent Partner

Provide support/guidance to families via group facilitation as well as 1:1 home visits. Accompany families to treatment and education planning meetings. Work closely with service providers (DMH and DSS, as well as Boston Public School System).

Competitive salaries and generous benefits including 3 weeks paid vacation in first year, 11 paid holidays, short- and long-term disability, retirement savings plan, life insurance, on-the-job training, and growth opportunities.

Fax cover letter/resume to HR Dept: 617-371-3100
E-mail to hr@baycove.org Or visit us at 66 Canal St, 2nd flr to complete an application. We're located at the Haymarket T (Green or Orange Line).
Bay Cove Human Services is an Equal Opportunity Employer.



MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TRANSPORTATION BUILDING 10 PARK PLAZA BOSTON, MASSACHUSETTS 02116-3975

NOTICE TO BIDDERS

Sealed bids for MBTA Contract No. **K75CN02, NEW BEDFORD/FALL RIVER COMMUTER RAIL EXTENSION PROJECT, SOUTH COAST BRIDGES - NEW BEDFORD, MA**, (Class 4(a) - Bridges, Steel Superstructure, Project Value - 80.00), will be received by the Deputy Director of Design and Construction, Contracts, at the Contract Administration Office, 5th Floor, Room 5610, Transportation Building, 10 Park Plaza, Boston, Massachusetts, 02116-3975, until two o'clock (2:00 p.m.) on February 21, 2001. Immediately thereafter, in a designated room, the Bids will be opened and read publicly.

The work consists of the removal and replacement of three (3) bridge superstructures at Cedar Grove Street, Weld Street and Logan Street all in New Bedford, MA, including modifications to or replacement of the existing abutments. 2,400 +/- l.f. of modifications to or replacement of existing retaining walls and 1,300 +/- l.f. of berm work to stabilize existing retaining walls. Also included is grading, drainage, site work, sidewalk and roadway work, crash wall work and utility relocations. The Contractor will remove existing and construct approximately 2,200 +/- l.f. of new railroad track.

The low bidder must comply with documentation requirements referred to in Article 1.12, COMPETENCY OF BIDDERS, in the INSTRUCTIONS TO BIDDERS.

Each prospective bidder proposing to bid on this project must be prequalified in accordance with the Authority's "Procedures Governing Classification and Rating of Prospective Bidders." Copies may be obtained from the Contract Administration Office at the above address. Requests for prequalification for this Project will not be accepted by the Authority after the tenth (10th) day preceding the date set for the opening of bids.

Prequalified bidders may obtain from the Contract Administration Office a "Request for Bid Form" which must be properly filled out and submitted for approval.

Bidding documents may be obtained from the Contract Administration Office at the address above from 8:30 a.m. to 4:00 p.m., on January 19, 2001, Monday through Friday, at a charge of \$100.00 per copy. The Authority's STANDARD SPECIFICATIONS, BIDDING AND CONTRACT REQUIREMENTS AND DIVISION 1 - GENERAL REQUIREMENTS dated November, 1983, is available at a charge of \$.00 per copy. Authority's STANDARD SPECIFICATION, CONSTRUCTION, dated January 1980, is available at a charge of \$15.00 per copy. The MBTA's Standard Plan entitled "MBTA Railroad Operations - Commuter Rail Design Standards Manual," is available at a charge of \$35.00 per copy, payable by separate check. Bidding documents will be sent upon request and receipt of an additional fee of \$15.00, payable by separate check. Bidding documents will be forwarded by Air Freight, where such service is available, at the expense of the plan holder. The Geotechnical Interpretive Report is available at a charge of \$15.00 per copy. NONE OF THESE CHARGES ARE REFUNDABLE.

Bidders attention is directed to Appendix 1, Notice of Requirement for Affirmative Action to Insure Equal Employment Opportunity; and to Appendix 2, Supplemental Equal Employment Opportunity, Anti-Discrimination, and Affirmative Action Program in the specifications.

Bidders will affirmatively ensure that in regard to any contract entered into pursuant to this solicitation, minority and female construction contractors will be afforded full opportunity to submit Bids and will not be discriminated against on the grounds of race, color, religion, sex, age, or national origin in consideration for an award.

Bidders will be required to comply with Federal Equal Employment Opportunity Regulations and the President's Executive Order No. 11246 and any amendments or supplements thereto.

Authorization for the Bidders to view the site of the work on the MBTA's property shall be obtained from the Project Manager, Mr. F. F. DeRoma, 500 Arborway, Jamaica Plain, MA 02130. 617-222-3465. The Authority will conduct an inspection tour of the site on February 7, 2001. Bidders are requested to be present in front of the Cedar Grove Street Bridge Site, New Bedford, February 7, 2001, Massachusetts, at 10:00 a.m. to participate in the tour. Bidders are advised that they should have representation at this tour as no extra visits are planned.

A prebid conference will be held on February 8, 2001 at 10:00 a.m. at the MBTA Offices, 500 Arborway, Jamaica Plain, MA, 617-222-3119. Any request for interpretation of the Plans and Specifications should be submitted in writing at the same time.

Bidders will be required to certify as part of their bids that they are able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the work.

This Contract is subject to minimum State wage rates as well as all other applicable labor laws.

Bid Guaranty shall consist of a bid deposit in the amount of five (5) percent of the value of the bid, in the form of a bid bond, cash, certified check, treasurer's or cashier's check.

The successful Bidder shall be required to furnish a Performance Bond and a Labor and Materials Payment Bond each for the full amount of the Contract price.

The Authority reserves the right to reject any or all Bids, to waive informalities, to advertise for new Bids or proceed to do the work otherwise, as may be deemed to be in the best interests of the Authority.

This information may be viewed at the MBTA website:
<http://www.mbta.com/newsinfo/geninfo/projects/contractadmin/solicitations/>

Plans and specifications may also be viewed at the following locations:

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Date: January 11, 2001	By: Kevin J. Sullivan Secretary and MBTA Chairman	Robert H. Prince, Jr. General Manager
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人物專訪

讓學校推陳出新

訪問黃伯勳校長

作者：薛禮克 譯者：周俊文

已經三天了，這個一年級學生到校 (JOSIAH QUINCY 小學) 以後就是不肯脫外衣。老師拿他沒辦法，只好把他送到黃伯勳校長那兒。黃伯勳說：“他很固執，不和我說話，就我所受過的訓練來說，我想能有辦法來解決這個問題。”面對這種形勢，他認為有兩種解決辦法。一種是按學校規定辦，“我可以告訴那個孩子要麼把外衣脫掉，要麼就在我這兒待著，否則我給他家長打電話。”另一種辦法是，“我和他慢慢談，了解到底是怎麼回事兒。這種辦法要花費很多時間”。黃校長選擇了談話，花很多時間談話。他先是和這個男孩子達成協議，他繼續辦他的公著。後來，他提議吃點兒東西，孩子開始說話了。他說他母親懷孕了，他不肯脫外衣的原因是去醫院。黃伯勳說：“我們說好，每天早晨他到校以後就給他母親打個電話，午餐時間再打一次。”就這樣，孩子脫了外衣，回教室去了。兩個月以後，孩子的母親順利生產。黃伯勳說，他後來在學校看見這個孩子和他母親，孩子讓他看那個嬰兒，說：“瞧！我的孩子。”

都是教育，在東西教育思想上可謂左右逢源，但是，能在兩種教育方式上自由選擇並不是他的目的。黃伯勳說：“在這個日新月異的世界中，把兩種教育思想結合起來可謂革新學校的當務之急。問題不是哪個比哪個好，而是要把它們結合起來，因為我們正面臨一個日益變小的世界。為了創造一個更美好的世界，非常重要是要理解東方怎樣做事情，西方怎樣做事情。”這種結合正是他的教育思想的基本點。



JOSIAH QUINCY UPPER SCHOOL 校長黃伯勳

對現在是 JOSIAH QUINCY 中學部校長的黃伯勳來說，上面的小故事很能說明東西教育方式的不同。東方教育方式強調個體的完美，而西方強調結構制度的完善。黃伯勳說，在上述的事例中，如果他按第一種辦法強迫那個孩子服從校規，就犯了大錯誤。所以，他運用了東方方式，通過談話來找出幫助孩子的辦法。黃伯勳在香港 (GRANTHAM COLLEGE) 和美國 (波士頓大學) 學

但將來會是一所直到十二年級的完全中學。作為一所實驗學校，它有試驗和發展適合公立教育新途徑的自由，因而是非常獨特的。在諸如工會條例、員工的募聘、上課時數以及上課班級的大小等許多方面，它可以不受教育局各種例行規定的限制。這就使得這所學校可以有較長的學時 (早八點到下午四點半)，並給黃伯勳更多挑選教師的權力。黃伯勳說：“我們的教師很了不起，他們能夠接受轉變。”這種教育模式的轉變使教師必須重新界定他們的作用，他們要成為學生的合作者，甚至要向學生學習，從而重新界定學校在學生生活中的作用。

黃伯勳先生不僅在教育事業上表現突出，在義務工作方面也非常突出。五年來，他一直和華美福利會配合規劃和開展成人教育與職業培訓工作。他為社區服務的經歷遠不止於此，他在好幾個非營利組織中擔任領導成員，例如：南灣青年會、華人經濟發展協會、華埠社區議會、麻州中國城信託基金委員會，以及波士頓基督教華人佈道會等。黃伯勳說：“義務工作是一種最純粹的服務形式。”他認為學校和家庭都不能脫離社區的和諧而存在。對黃伯勳來說，這種互相依存的關

JOSIAH QUINCY 中學部是波士頓公立學校系統中的一所實驗學校 (PILOT SCHOOL)，黃伯勳在一九九九年，學校開辦這年，出任校長。目前這所學校只有六年級和七年級，在校學生一共二百二十五名。

在他擔任 QUINCY 小學校長期間，學校和他本人多次受到獎勵。一九八七年，QUINCY 小學被聯邦教育部選為全國二百最佳小學之一。一九九零年是黃伯勳很突出的一年，他被授予專門給在教育事業上作出貢獻的 THOMAS REPORT POINTS OF LIGHT AWARD，同年還獲得全市家長理事會授予的年度最佳校長獎。九十年代獲獎就更多了。一九九二年，波士頓市調查局授予他 HENRY SHATTUCK AWARD，以表彰他作為市政府雇員所做出的傑出貢獻。後來，一九九四年波士頓大學授予他傑出校友獎，WEBLOCK 學院頒予他榮譽博士學位。

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廣教學校在進行司法鬥爭的同時，仍在努力辦學。因為他們目前沒有固定校址，不得不分散在五處上課。週日在昆西小學、ST. JAMES教堂、昆西中學上課。星期六、星期日的時候，繪畫、武術、舞蹈和音樂課在安良工商會大樓裡上，另外六堂課在昆西中學部上。除此之外，星期日在華人經濟發展協會還有一堂課。廣教學校校長 FELIX LUI 說，家長和孩子們似乎已經適應了這種形勢，基本上，他們已經習慣了。是有一點麻煩，但還好。他們理解，而且願意在我們這兒學習。上課的教室都符合標準，上課的地點也很安全。廣教學校目前正在尋找一處固定校址。

#### 總檢察官辦公室的介入

從二千年六月三十日以來，總檢察官辦公室不斷介入中華公所的官司。當人、瑟福克郡高等法院 CHEROFF 法官發佈了一項為總檢察官辦公室和中華公所共同接受的通令，代表總檢察官辦公室的是 DEIDRE ROSENBERG，代表中華公所的是 TITOMAS KILEY。CHEROFF 法官否決了總檢察官辦公室要在中華公所安排一位委託管理人的要求，但在這個通令中，包括了一項要求中華公所遵守的管理協議。該協議要求中華公所實行改革，彌補經營管理的缺陷。該協議最重要的條款是要求中華公所雇用一名經營管理顧問，其職責為：一、作為臨時首席執行董事；二、設計一套內部財務和簿記系統；三、和董事會一起執行機構的慈善職能；四、物色一位正式首席執行董事；五、向總檢察官辦公室履行報告。該協議還要求中華公所必須在協議簽字以後三十天內呈交上已經逾期的。一九九八年和一九九九年財務報告。

該協議其他條款還包括要求中華公所實行組織改革並建立新的監督委員會。最後，該協議指出，如果在九月十五日以前不能達成管理協議，意味雙方陷入僵局，將重返法庭。

因為中華公所沒有在規定時間內完成管理協議所規定的工作，總檢察官辦公室在十一月要求法院頒布法庭令安排首席執行董事，十二月法院同意頒布此令。總檢察官辦公室在向法院的申請中說，中華公所一直沒有按照要求向總檢察官辦公室遞交一九九八年和一九九九年的財務報告，「沒有滿足通令的條件，而該條件是中華公所同意遵守的，因

此，中華公所違反了通令。」

總檢察官辦公室還指出，自從通令頒布以來，從他們對中華公所的調查中發現下列問題：一、中華公所的辦公人員對其財務工作缺乏理解；二、這些辦公人員不能平衡其預算；三、中華公所雖然擁有大量房地產，卻不能制訂一套有效的財務計畫來解決其若干財務問題，諸如積欠以前律師數額龐大的費用以及廣教學校根據債務判決所應獲得的 \$40,000 欠款；四、中華公所把算得的專款沒用於明確規定的事項，而是用於一般行政開支。這種挪用專款的事例，可從中華公所主席 RAYMOND CHIN 的聽證證詞中找到。CHIN 說，中華公所所募得的中秋節專款曾經被用來支付行政開支。

「那是中秋節的錢。我們沒錢了，只好動用中秋節的錢或者甚麼別的款項。如有結餘，我們會轉入下年用。但有時我們的確用這些錢來支付行政開支。」

總檢察官辦公室在其要求法庭命令的申請中還指出，中華公所曾經從外面聘請了專門顧問 STEVEN BROWN 來審察他們的行政運作。BROWN 在他的報告中明確告訴「中華公所當務之急是要為這個機構找到富有經驗的、有專業訓練的領

導。」

總檢察官辦公室注意到中華公所以前新 \$2,000 雇用了該所前主席 ROBERT LUNG 為其執行董事，但是，認為「LEUNG 先生完全不能代表 BROWN 報告中所要求的、富有經驗的、有專業訓練的領導。」

已經發佈的法庭命令提出三項要求。首先，中華公所必須雇用一位合格的臨時首席執行董事，負責日常工作，向董事會報告、保證中華公所的活動完全符合其法定職責並向總檢察官辦公室提供全面財務報告。他還必須向總檢察官辦公室報告中華公所所有關財政、日常運作等全面情況。第二，要求中華公所雇用一個新的、為總檢察官辦公室認可的會計事務所來完成通令中所要求的財務報告。第三，禁止中華公所在「取得總檢察官辦公室同意前出售任何財產。」

總檢察官辦公室公共慈善處主任 JAMIE KATZ 說：「我們正在執行法庭命令。我們正和中華公所接觸，以便盡快確定首席執行董事的人選。我們希望在人選上和中華公所取得一致意見，但沒有我們的同意任何人選是不能確立的。我們必須首先解決首席執行董事的人選問題，然後再談找會計事務所的事。」

雖然還沒有獲得總檢察官辦公室的批准，但 HELO 顯然是中華公所物色的首席執行董事的唯一人選。KATZ 說，HELO 的名字「會在一月十九日呈報上去。」HELO 是在美國和英國執業的律師，在談到行政工作經驗方面，HELO 說他「在新加坡經營過一家醫院」，在倫敦他工作的律師事務所中擔任過訴訟經理。他說：「我是律師，我知道如何運作一個享有免稅特權的機構。」他同意免費為中華公所服務。他希望幫助中華公所把日常工作從使用中文轉為使用英文，尤其是在帳目上和有關會議的記錄上。他說：「他們不能再躲在他們的自己的語言和文化的後面。你必須遵守規則。我必須教給他們如何按照規定辦事，幫助他們避免做他們不應該做的事情。我會向他們解釋方法規則和行政法規。我的目標和總檢察官是一致的，中華公所的目標和他們也是一致的。」

LEUNG 說他已去過總檢察官辦公室，向他們解釋作為中華公所執行董事他所作出的改進以及他進一步的計畫。他想改進目前的翻譯服務、協助報稅服務、作為第二語言的英語教學服務，以及協助就業服務；最近，還創建了太極拳俱樂部

俱樂部。俱樂部。俱樂部。

儘管有關過去的爭執繼續存在，中華公所目前應該抓緊時間做兩件事。首先是確定臨時首席執行董事的人選，然後中華公所可以按照總檢察官辦公室的「要求整頓自己的日常運作並使之現代化。至於和廣教學校的官司，到目前為止還不知道中華公所會不會堅持上訴，而總檢察官辦公室現在也只是集中精力在其與中華公所的糾紛上。KATZ 說：「我們知道廣教學校的案子，我們目前只是從遠處觀察著，那畢竟是他們兩家的官司。」KATZ 也表達了願意與總檢察官辦公室合作的態度，他說：「我們只是

想和總檢察官辦公室配合工作，盡快把事情圓滿解決。」

(原作者薛德克，譯者周俊文)

下期舢舨將於二零一年二月十六日出刊。

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星際保齡 (週五及週六 9:00 P.M. - 2:00 A.M.)  
室內遊場 • 各式賭戲  
生日聚會 • 獎品兌換  
電視電玩



因為和廣教學校的官司和州總檢察官THOMAS F. REILLY辦公室的介入，中華公所作為被告，去年十一月和十二月兩次到瑟福克郡高等法庭出庭。今年，中華公所也許要在法庭上花費更多的時間。

與廣教學校的官司是由中華公所的筆\$379,379.30債務引起，從一九九八年七月開始入呈法庭的。對

MARGARET HINKLE法官在二千年五月作出的債務即審判決，中華公所於

去年八月十八日提出上訴。如果中華公所堅持它的上訴，官司將繼續進行。此外，總檢察官辦公室公共慈善處於二千年六月三十日，因為中華公所的財務管理問題，向法院呈控中華公所。在十一月，總檢察官辦公室贏得一項法庭決定，要求中華公所必須有一位總檢察官認可的首席執行董事並執行其他一些措施。如果對選選的首席執行董事的人選或該法庭其他決定有爭議，雙方可能要重回法庭。

與廣教學校的官司存有許多懸而未決的問題。去年一月十五日，這場官司出現兩個重大變數。首先是廣教學校向法院申請，要求法庭公佈中華公所所欠\$379,379.30債務的債券，或者向中華公所的房地產和動產發出上述數額拘票，以確保廣教學校對中華公所勝訴的判決。然後是中華公所的律師提出退出訴訟的申請。

廣教學校的律師要求法庭：維護關於廣教學校債權的判決，其數額在二千年七月十四日達\$379,379.30。廣教學校在其申請書中說，中華公所的上訴是一種拖延手段和毫無意義的，

因為HINKLE法官的判決說得很清楚，“擺在我面前的無可爭辯的證據使我確信，被告（中華公所）實在在借到了錢而現在卻逃避債務。被告沒有任何正當理由拒絕原告討還債務。”廣教學校還指出，在他們向法院申請律師費和訴訟費期間，中華公所的律師“把他們的債權要求描述為廣教學校粗魯無理的行為

# 中華公所腹背受敵

廣教學校的律師進一步寫到，除了上訴問題以外，他們真正關心的是中華公所在上訴受理程序結束以前，恐怕沒有清償\$379,379.30債務判決的能力。他們提出上述幾點作為上述考慮的基礎：一、中華公所公開的唯一收入來源是泰勒街九十號後面十八個停車位的租金；二、總檢察官認為中華公所是一個有很多缺點的組織，比如：“不能妥切說明其慈善資產，專款不能專用，金錢開銷缺乏審批手續，支給董事會成員薪津不當等；”三、他們最近上交的

一九九七年財務報告顯示中華公所全年各項收入只有\$200,254，遠遠低於他們應償還給廣教學校的債務；四、雖然法庭判定廣教學校有權收受債款利息，中華公所實際上已經停止支付利息。

最後，廣教學校的律師說，要是不能獲得債券或財產拘票，而中華公所又不能償付債務，廣教學校勝訴只能是象徵意義的。因此，REGINA L. QUINLAN法官已經針對被告紐英倫中華公所“發出：價值\$450,000的財產拘票。”她之所以提高了拘票數額是考慮到在上訴審理期間債務滋生的利息。（拘票是法庭為了確保勝訴一方收回對方所欠金錢的傳票。）

去年十二月十五日，中華公所的律師，DANIELS律師事務所向法院申請停止出庭。DANIELS律師事務所要求不再代表中華公所的理由是中華公所沒有支付他們的律師費。這項申請獲得法庭批准，中華公所必須在三十天之內找到另一位律師，否則上訴的請求將被撤銷。曾經代表中華公所和總檢察官辦公室打官司的THOMAS KILEY已經申請替

中華公所出庭，繼續和廣教學校的官司。KILEY說：“我們必須決定是堅持上訴還是要求重新審理以擺脫這項債務判決。”

ROBERT LEUNG是中華公所的執行董事，C.W. HENG是到本文截稿時為止中華公所準備向總檢察官辦公室提出的中華公所首席執行董事的人選。在採訪中，他們兩位說，對該項債務即審判決的可能提出上訴是基於下述三個情況。

第一，LEUNG懷疑該項債務即審判決作出決定以前，中華公所未能早上他們所有證據。通過HENG的翻譯，LEUNG對我說：“該項債務即審判決作出決定

以前，法庭沒有聽取證據。他們只看了寫在紙面上的證據，便據此認為中華公所為債務付過利息。法官應該問證據。他們只是看DAVID (S. Y.) WONG寫的，我欠你，的字據。”

第二，他們說，在向廣教學校借錢的字據上簽字的WONG，當時既是中華公所主席也是廣教學校校長。HENG說，類似這種財務授收是不合乎手續的。“很大的問題在於這種財務處理實在是過於隨便了，因而不合法的。”

在解釋為什麼中華公所付給廣教學校利息時，LEUNG說，當時這兩個機構親如家人，“廣教學校就像兒子，中華公所就像父親。父親照顧兒子，誰管這種財務借貸是不是真的發生過。”後來繼任的歷屆中華公所主席也只是因循舊例，繼續付給廣教學校利息就是了。

HENG說：“DAVID WONG在過去作出這種借貸，並由中華公所據以支付利息的時候，他們以為這樣作是合法的。他們從來沒有調查研究過這個問題。”

第三，他們兩位都表示懷疑該項借貸是否真地發生過。他們都說，從銀行帳戶上，支票上，都找不到相關的數額和簽字。在中華公所的會議記錄上也找不到有關這項借錢的記載。

HENG說：“沒有證據顯示支票通過過戶。”關於廣教學校的獨立性問題，LEUNG說，廣教學校原來一直是中華公所的一部分，一九八零年，在廣教學校獲取SOLIC非營利機構身份的時候，也從來未向中華公所要求過獨立。而且，一九八九年中華公所曾修改章程，中華公所可以指定廣教學校董事會成員，是WONG把廣教學校交給了中華公所。但是LEUNG認為，WONG當時並沒有修改廣教學校的文件，於是，在一九九八年，廣教學校便以此為據斷言它的獨立地位。

說到最後，法官在債務即審判決書中曾指出：根據呈現在我面前的記錄，我雖然承認它們是兩個分離的機構，但我不能斷定被告無權控制或參與運作原告（廣教學校）。HINKLE法官認為有關上述章程細則的爭執需經進一步的審理。

說到法庭證據，ANPAULY代表廣教學校，KENNETH LUKE代表中華公所都向HINKLE法官就其據以作出裁決的證據提出申辯。但是，根據法律規定，在上訴案中，只考慮原有證據而不接受新證據。

作為中華公所主席，WONG在簽署借



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債字據的時候，是廣教學校的董事，但不是學校校長。PAUL CHAN當時也是廣教學校的董事並分工主管財務，他說：“當時的校長是ED GUEN，DAVID WONG從來沒當過校長，也不管貸款的事。”修繕泰勒街九十號的工程是一九八四年完工的，因此，為此修繕工程廣教學校借給中華公所的所有款項都應該在這以前過手。為了和華美福利會打官司，中華公所曾呈送法庭一本“修建資本帳目”，根據此帳目，廣教學校曾開出下列四張支票：在，一九八二年十月二十七日一張\$9,000的，在一九八三年四月十五日，一張\$160,000的，在一九八三年七月十九日一張\$6,000的，在一九八三年十月十二日一張\$0,000的。所有這四張支票都是在，一九八四年以前付給中華公所的。CHAN說，在修繕期間，中華公所主席是BILL CHIN，他當了一年的主席，比正常任期多了一年，因為需要他監督整個工程完工。到WONG作中華公所主席的時候，由廣教學校分期付給的貸款已經用在建築修繕上了。正是在他的監督下，一九八四年七月三十一日把上述貸款本金和到該日為止的累計利息合在一起，寫了一張\$249,250.68的

借據。在頒布這個借據以前，一九八四年五月三十一日，廣教學校董事會曾開會研究決定是否接受中華公所開出的這張借據。根據會議記錄，參加會議並在決議上簽字的有EDWARD J. GUEN, PAUL K. CHAN, WILLIAM CHIN和DAVIDS. Y. WONG。董事會決議接受紐英倫中華公所金額為\$249,250.68（本金\$225,000，到一九八四年七月三十一日為止累計利息為\$24,250.68）的新借據，年利率為百分之九，按月付息，本金在十年之內付清。“會議記錄顯示了中華公所承認他們欠廣教學校這筆錢。同樣，中華公所在一九八七年向國稅局申請免稅資格時也曾經承認這筆債務。

STEPHEN NOJAK當時是幫助中華公所向國稅局申請的律師，在他寫給國稅局的信中，在替中華公所回答有關廣教學校的地位時，他說：“廣教學校是獨立於中華公所的團體，廣教學校的運作也是獨立於中華公所的。然而，廣教學校的確借給過中華公所\$225,000的貸款，作為公所的部分取得和舊QUINCY學校所在地的建築翻修之用。”

在廣教學校要求債務判決的申請中，引述了一九九四年對中華公所會計檢查中有關長期債務的一項記錄，說：“中華公所欠廣教學校一筆\$249,251的長期債務，借據一九九四年十月三十一日到期。一九九四年十月，中華公所獲得延後三年的償還期限，借據將延至一九九七年七月三十一日到期。”該項會計檢查和記錄都是由LEE, YEE會計事務所作的。此外，由於廣教學校的地位問題牽涉到WONG，廣教學校在申請中引用了WONG的宣誓證詞說，在一九九九年，“中華公所要求SHU YING WONG先生接管廣教學校。SHU YING WONG先生提出只有在廣教學校完全獨立於中華公所的條件下才同意接管學校。中華公所同意他的條件。”

上述資料全都包括在廣教學校要求債務判決的申請中，這些資料清楚說明了廣教學校是一個註冊在案、獨立於非營利機構，也說明了廣教學校借給了中華公所前述那筆數目的貸款。如果中華公所對債務判決提出上訴，法庭可以對已呈交證據重新審察，但不會接受任何新證據。如果中華公所對債務判決不提出上訴，此案可算了結，廣教學校將申請判決執行令。該判決執行令將授權瑟福克郡的行政司法長官向中華公所收



(續頭版)者詢問他或她在以前的工作中有多少天病假，但雇主不能向求職者詢問缺勤情況，也不能追問類似“你為什麼有病”之類的問題。

\*打擊報復。平等就業法禁止雇主對任何因正當理由反對或參加合法抗議活動的雇員打擊報復。平等就業法也禁止雇主對任何幫助、鼓勵他人反對或參加合法抗議活動的雇員打擊報復。打擊報復的行為包括，但不限於以下行為：否定雇員向平等就業機會委員會投訴的權利、騷擾和恫嚇、取消福利、解雇、處分、降職、調動工作、不公正的工作表現評估和報告、加快處分進程、以及提供負面的推薦信等。

平等就業機會委員會在法庭上也極力維護雇員不受就業歧視的權利。以VANG NGUYEN和平等就業機會委員會對美國水產公司勝訴的這場官司為例，最後以該公司同意向十八個人賠償一百二十五萬美元結案。根據平等就業機會委員會所掌握的材料，這場官司的緣起是因為被告置這些在海上作業的越南裔美國人於種族敵視的工作環境中，在工作條件、工資、訓練和升遷機會上對他們加以歧視，並以他們所來自的國家為理由解雇他們。在另一案中，平等就業機會委員會對

E. J. INTERNATIONAL d/b/a MOODS AND MUSIC的官司，也是以被告同意向七位控訴人提供三十五萬美元賠償結束。根據平等就業機會委員會的材料，這場官司的緣起是“因為被告使來自菲律賓的合約女侍受到性騷擾，讓她們受到顧客言語上和肉體上的虐待，結果，她們被迫離職而去。這些案例都說明了平等就業機會委員會通過法律程序成功地使受到歧視的員工獲得了經濟補償。”安豐貴先生補充說：“我誠懇奉勸所有雇主、就業安置代理人、工會人員認真學習有關平等就業的法規，在每個工作場所都能杜絕就業歧視的現象。在所有員工最後都能精通平等就業法規的情況下，各位老闆當然不能落後！”

要想獲得更多有關平等就業法規的資料，請與平等就業機會委員會的亞裔聯絡主任安豐貴先生聯絡。他的電話號碼是617-565-3217。也可以直接到他的辦公室找他。他的辦公室在二二聯邦政府中心大樓455室。安先生會講國語和廣東話。(ERIC SCHRAM, 周儀文譯)

## 雇主及雇員就業均等法須知

受雇於私人，州和地方政府，教育機構

種族、膚色、宗教信仰、性別、民族：

一九六四年民權法案第七章，經修正，在雇用，提升，解雇，薪金待遇，福利，以及雇用的各個方面，一律禁止基於種族，膚色，宗教信仰，性別，民族而有所歧視。

本法適用於求職者中請受雇於大多數私人雇主以及已經聘請了雇員的大多數私人雇主，另外還有州及地方政府，以及公立及私立教育機構。本法亦適用於職業介紹所，工會和員工培訓項目。

年齡：

一九六七年的雇用條例中的年齡差異法，經修正，禁止有年齡歧視，並保護年齡四十歲或者是四十歲以上的求職者以及雇員不因年齡問題而在雇用，提升，解雇，補償，雇用條件和享有就業後各種權利等方面受到歧視。本法適用於求職者中請受雇於大多數私人雇主以及已經聘請了雇員的大多數私人雇主，另外，還有州及地方政府，教育機構，職業介紹所和勞工組織。

性別(工資)：

除了上面提到的民權法案第七章禁止有性別歧視外，一九六三年的同工同酬法案，經修正，也禁止在同一單位裏做實際上是同樣工作的男女雇員在工作報酬方面有性別歧視。本法適用於求職者中請受雇於大多數私人雇主以及已經聘請了雇員的大多數私人雇主，另外，還有州及地方政府和教育機構。勞工組織不得促使雇主違法。因單位規模問題而不受第七章約制的雇主，則受限於同工同酬法案。

殘疾：

一九九零年美國殘疾人法案，經修正，禁止根據殘疾而予以歧視，並且保護有殘疾的雇員和有殘疾但是也有工作能力的求職者在雇用，提升，解雇，薪津待遇，職業培訓，福利，及就業的其它方面不受歧視。這條法律還闡明，根據該法律規定，凡該法律所涉及的實體必須為有工作能力但有殘疾的求職者和有殘疾的雇員提供不會引起不必要困難的合理設施。該法律亦適用於求職者中請受雇於大多數私人雇主以及已經聘請了雇員的大多數私人雇主，另外，還有州及地方政府，教育機構，職業介紹所和勞工組織。

### 持有聯邦政府合同或者是分包合同的雇主

種族、膚色、宗教信仰、性別、民族：

總統命令第一一二四六號，經修正，禁止以種族，膚色，宗教信仰，性別，民族為根據而在就業方面有所歧視，並且規定，要採取肯定行動來保證在就業的各個方面機會均等。

有殘疾的個人：

一九七三年的康復法第五〇三節，經修正，禁止因為一個有殘疾而在就業方面予以歧視，並且規定，要採取肯定行動

來僱用和提升那些有工作能力，並在得到合理照顧的情況下，基本上能勝任工作的殘疾人。

越戰時代及特等殘廢的軍人：

一九七四年的越戰時代退役軍人適應援助法案之38美國法典4212禁止有就業歧視，並且規定，要採取肯定行動來僱用和提升那些有工作能力的越戰退伍軍人和有工作能力的特等殘廢軍人。中請就職於持有聯邦政府合同或者是分包合同的公司的人員以及這類公司僱員一律受到上述授權的保護。

### 接受聯邦資助之計劃或活動

種族、膚色、民族、性別：

除一九六四年民權法案第七章以外，民權法案第六章同樣禁止在聯邦政府所資助之項目或活動中以種族，膚色，民族為根據而進行歧視。如果聯邦政府給予資助的基本目的在於提供就業，則就業歧視問題屬於民權法案第七章禁止範圍之內，如果上述項目中，由於有就業歧視而在提供就業服務時候已經形成或者有可能形成歧視的情況下，則此種情況亦在民權法案第七章禁止範圍之內。一九七二年的教育修正案第九章禁止在聯邦政府所資助的教育項目或活動中以性別為根據而有就業歧視現象。

如果你認為，你在聯邦政府所資助之項目中受到歧視，不論這個項目由那一個機構主持的，你都應當立刻與提供資助的聯邦政府機構取得聯繫。

有殘疾的個人：

一九七三年的康復法第五〇四節禁止在聯邦政府所資助之項目或者是活動中以殘疾為根據而有就業歧視現象。祇要殘疾人在合理照顧下能夠滿足工作的基本要求，則禁止在就業的各個方面對殘疾人有所歧視。

### 控訴

假如你相信你一直以來都在工作上遭遇到雇主、工會、職業中介者因為你的種族、膚色、性別、宗教、國籍、年齡、或者失能等因素而有所歧視，或者你相信當你因為反對某些禁止的工作慣例或參與一個公平就業機會事情而導致差別待遇，或許你可以針對歧視向「美國就業機會均等委員會」提出控訴。

你必須親自提出控訴，可以採郵寄或電話連絡離你最近的「美國就業機會均等委員會」辦公室（以下簡稱均委會）。假如沒有電話，亦可打免費800-669-4000或800-669-6820(TDD)以獲得更多的相關訊息。另外，為了避免延誤時效，預先打電話或書寫註明你是否需要特別的協助，關於說需要翻譯人員幫忙來提出控訴。

然而針對工作就業上的歧視而提出控訴是有其時間的期限。假如你必須提出控訴以確保「均委會」有效執行維護你切身利益的「能力」及保障你提出私人訴訟的權利，你必須謹守以下方針才能奏效。

民權法案第七章：向「均委會」指控可疑的歧視行為必須要在180天之內，然而，在「反歧視法」或存在有可以授權允許及請求救濟金的相關仲介單位的某些州或地區，通常必須要在該州或地區的仲介單位提出指控。進一步的，在此司法的體系內，必須要在三百天之內向「均委會」指控實際的歧視行為，或者在收到有關單位寄給你的終止這個指控行為進行的書面通知後三十天後，端賴那種方式是較早而定。最好的方式是當發現有疑似歧視的行為發生，立刻迅速與「均委會」連絡。因為當任何控訴或不滿的提出超過期限，你也許就不能夠獲得任何補償金額。

聲明啓示：十二月十五日的舢舨封面照片由華人醫務中心提供。

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## 聯邦平等就業機會委員會籲華埠僱主：

## 正視就業歧視問題

在中國城一家超市的窗戶上貼了一張誠聘女收銀員的招工啟事，十分簡單明瞭。可是，因為它指名要招收女性，這家商店老闆就觸犯了一九六四年民權法案第七款；該條款禁止僱主根據申請就業者的性別、種族、來自國家、膚色、宗教和年齡來決定是否雇用。申請收銀員職位的可能都是女的，但商店卻不能說只招女工。

問題在於這家超市是否知道這張招工啟事觸犯了法律，我帶著這個問題去請教安豐貴先生。安先生是聯邦平等就業機會委員會波士頓地區辦公室亞裔聯絡主任。他說，多數僱主不知道平等就業法，但也有人明知故犯，以為他們可以逃避法律的懲處。無論是哪種情況，通過仔細檢查他們的業務活動和雇用記錄，都不難發現問題之所在。

作為平等就業機會委員會的聯絡主任，安豐貴先生最近剛從

MILWAUKEE 市調到波士頓，打算加強和亞裔社區聯絡，提升全體僱主和僱員有關平等就業和反對就業歧視的法律知識。安先生曾經到華人工商會介紹了他自己和聯邦平等就業機會委員會的工作任務。他向華人工商會說明了平等就業機會委員會所推行的平等就業的法律，並送給他們一批平等就業機會委員會印製的廣告招貼，上面印有該委員會推行的法律條文，他們應把這些廣告招貼貼在自己的生意裡。安先生的工作方法是從基層做起，首先從對中國城各商號加強教育做起。

根據華人工商會負責社區聯絡的 KAI LAU 所說，華人工商會支持安先生的工作，準備拿出三個月時間和他配合工作。LAU 先生說，安先生會被安排在二千零一年一月二十八日華埠慶祝中國新年的大會上講話，直接和四百到五百位社區領袖、骨幹、各商號僱員和華人家庭交流。

在總檢查官辦公室公平工作處

的支持下，安先生希望在今年二到三月份組織一次大型座談會，邀請州府其他有關部門和別的就業機構參加，以便回答各個僱主和僱員的問題並便於各僱主免費領取有關就業法律的廣告招貼，遵照聯邦法或州法張貼出去。

華人工商會的 LAU 先生認為在教育中國城社區注意就業歧視方面，安先生已經取得明顯成績。LAU 先生說，在安先生初到中國城的時候，在招工廣告上充斥著本文開頭提到的就業歧視的字句。安先生給刊登廣告的各家商號打電話，告訴他們為什麼說他們的廣告違反了聯邦平等就業法。從哪兒以後，在招工廣告上出現就業歧視的字句大為減少。

安豐貴先生強調指出，就業歧視問題不僅限於招工方面，還表現在福利、退休、解雇、降職、處分、訓練和提升等各個方面。他進一步強調說，平等就業法也完全適用於非法移民。當這些非法打工的員工向聯邦平等就業機會委員會提出申訴的時候，該委員會並不與移民局分享有關資料。事實上，聯邦平等就業機會委員會從申訴人取得的資料都予以保密，除非申訴人自己在聯邦平等就業機會委員會的行政處理以後自行向聯邦地區法院投訴。

安先生指出少數族裔經常在下列方面受到歧視：騷擾和性騷擾、來自國家、懷孕、行動障礙、同工同酬和打擊報復。現分述如下：

\* 騷擾和性騷擾。一九六四年民權法案第七款保護僱員不因其種族、膚色、性別、來自國家、年齡和宗教信仰不同而成為騷擾的對象。保護行動障礙美國人法保護僱員不因其行動障礙而成為騷擾的對象。性騷擾有兩種形式，一種是敵意工作環境，另一種是實質性雇用行為。前一種是指僱主允許其僱員對其他僱員實行性攻擊或以牽涉到性的粗

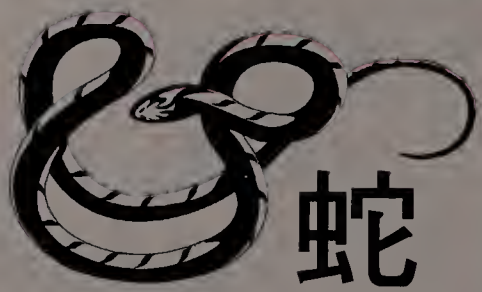
暴語言攻擊。後一種是指僱主或經理在決定雇用或提升僱員的時候，是以該僱員是否以性愛行為回報作為條件。當僱員向僱主報告受到騷擾以後，如果僱主沒有立刻採取適當行動制止這種騷擾行為再次發生，平等就業機會委員會將追究該僱主的責任。安豐貴先生說：“如果騷擾不是十分嚴重，或者騷擾者本人就是接受騷擾投訴者，或者騷擾者本人是公司主管或總裁因而無從投訴外，受到騷擾的僱員應該向僱主報告其所受到的騷擾，並給僱主一個機會立即採取措施改變受騷擾的形勢。”

\* 因來自國家而受到歧視。根據一九六四年民權法案第七款，如果僱主在決定是否雇用或提升僱員時是根據其所來自國家、出生地、以及與之相關的口音、相貌等原因來決定，是違法的。如果僱主提出只雇用美國公民或只雇用說英語的人則違犯了一九六四年民權法案第七款。

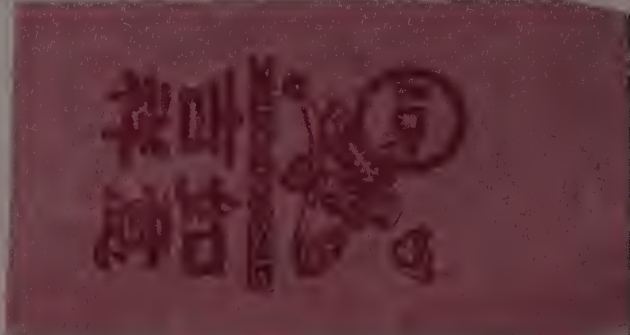
\* 因懷孕而受到歧視。一九六四年民權法案第七款保護女性員工或申請就業者不因懷孕而受到歧視。僱主不得因申請就業者懷孕而拒絕雇用該女性；在懷孕女員工尚能完成其工作任務的情況下，僱主不得自行規定該懷孕員工何時休產假。

\* 因行動障礙而受到歧視。根據一九九零年保護行動障礙美國人法案規定，因生理障礙或智能障礙而喪失某種日常生活能力的僱員或申請就業者，如果有資格承擔某項工作，僱主則應讓該人工作或者作出適當調整，只要這種適當調整不會使僱主無法完成工作。適當調整包括調動工作和向該員工提供另一空缺職位，而且這一職位不需僱主給予訓練即可勝任。調動工作並不意味提升。在求職面試中，僱主向求職者提供工作以前，僱主不得故意提出問題使求職者暴露其行動障礙的問題。例如，雖然僱主可以向求職

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